

104TH CONGRESS
2D SESSION

H. RES. 480

Amending the Rules of the House of Representatives to implement the recommendations of the Task Force on Committee Review regarding committee operations, procedures, and staffing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 1996

Mr. BASS (for himself, Mr. DREIER, Mr. WHITE, Mr. BROWNBACK, and Mr. ALLARD) submitted the following resolution; which was referred to the Committee on Rules, and in addition to the Committee on House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Amending the Rules of the House of Representatives to implement the recommendations of the Task Force on Committee Review regarding committee operations, procedures, and staffing, and for other purposes.

1 *Resolved,*

2 **SECTION 1. COMMITTEE OVERSIGHT.**

3 (a) OVERSIGHT SUBCOMMITTEES.—The third sen-
4 tence of clause 2(b)(1) of rule X of the Rules of the House
5 of Representatives is amended to read as follows: “Each
6 such committee having more than twenty members shall

1 either establish an oversight committee or designate at
2 least three staff members to be solely responsible for over-
3 sight.”.

4 (b) COMMITTEE FUNDING PROCEDURES RESPECT-
5 ING GAO OR EXECUTIVE BRANCH DETAILEES.—The
6 Committee on House Oversight is authorized and directed
7 to modify its committee funding policies to allow commit-
8 tees, subject to appropriate safeguards, to use General Ac-
9 counting Office and executive branch detailees, on a non-
10 reimbursable basis, in order to be in a position to effec-
11 tively undertake emerging or unexpected investigations.

12 (c) EFFECTIVE TRACKING AND CATEGORIZING OF
13 CASEWORK.—The Committee on House Oversight is au-
14 thorized and directed to develop an electronic program
15 such that Members may track and categorize their case-
16 work requests and report their findings to a central House
17 unit for evaluation.

18 (d) SENSE OF HOUSE ON INVESTIGATIVE RE-
19 SOURCES OF COMMITTEES, ON SUBPOENAS, AND ON USE
20 OF CORRECTIONS DAY.—It is the sense of the House of
21 Representatives that—

22 (1) the Committee on House Oversight should
23 provide committees with sufficient investigative re-
24 sources, such as bates stamping technology, docu-
25 ment retrieval technology, software for the planning

1 of investigations, Lexis-Nexis and US Newswire
2 services, and other resources needed to professional-
3 ize the practice of systemic and coordinated over-
4 sight;

5 (2) the General Counsel should provide more
6 timely, proactive, and strategic advice to committees
7 respecting the issuance of subpoenas, and the lack of
8 compliance by executive branch or other officials;
9 and

10 (3) committees should better utilize the Correc-
11 tions Day process as a proactive tool for conducting
12 oversight and correcting wasteful and corrupt prac-
13 tices by the executive branch, and rules, regulations,
14 and laws that are inconsistent with legislative intent.

15 **SEC. 2. AVAILABILITY OF MANAGEMENT AUDITS TO COM-**
16 **MITTEES.**

17 The Committee on House Oversight is authorized and
18 directed to make resources available to the Chief Adminis-
19 trative Officer to perform management and technology au-
20 dits of committees.

21 **SEC. 3. PARLIAMENTARY TRAINING PROGRAM FOR COM-**
22 **MITTEE STAFF.**

23 The Parliamentarian shall establish a comprehensive
24 program to train selected committee staff to serve as par-
25 liamentary advisors to their respective committees. For

1 the purpose of carrying out this section, the Parliamentar-
 2 ian may utilize the services of personnel of congressional
 3 support agencies.

4 **SEC. 4. RECODIFICATION OF RULES OF THE HOUSE OF**
 5 **REPRESENTATIVES.**

6 The Parliamentarian shall, at the beginning of the
 7 105th Congress, commence to recodify the Rules of the
 8 House of Representatives by clarifying conflicting defini-
 9 tions, eliminating anachronisms, and reorganizing the
 10 rules into a more coherent and logical structure. Such re-
 11 codification shall be completed prior to the commencement
 12 of the second session of the 105th Congress. For the pur-
 13 pose of carrying out the recodification, the Parliamentar-
 14 ian may utilize the services of personnel in the Congres-
 15 sional Research Service and the Government Printing Of-
 16 fice.

17 **SEC. 5. ALTERNATIVE COMMITTEE HEARING FORMATS.**

18 (a) AUDIOVISUAL PARTICIPATION AT COMMITTEE
 19 HEARINGS.—Clause 2(h)(1) of rule XI of the Rules of the
 20 House of Representatives is amended by inserting “(A)”
 21 after “(1)” and by adding at the end the following new
 22 subdivision:

23 “(B) Any member who is not physically present at
 24 the site of a committee hearing shall be considered present
 25 and may fully participate if that member is in audiovisual

1 contact with that committee hearing, but that member
2 shall not be counted for purposes of a quorum under sub-
3 division (A).”.

4 (b) ENHANCED FLEXIBILITY FOR APPLICATION OF
5 FIVE-MINUTE RULE AT COMMITTEE HEARINGS.—Clause
6 2(j)(2) of rule XI of the Rules of the House of Representa-
7 tives is amended by inserting before the period at the end
8 the following: “, except to the extent that the rules of that
9 committee permit any member to pursue an uninterrupted
10 line of questioning of a witness without having to yield
11 to any other member because of the strict application of
12 the five-minute rule”.

13 (c) SENSE OF THE HOUSE ON ALTERNATE COMMIT-
14 TEE HEARING FORMATS.—It is the sense of the House
15 of Representatives that committees are encouraged to uti-
16 lize alternative hearing formats, such as briefings, round
17 table discussions, and debates.

18 **SEC. 6. MODERNIZATION OF COMMITTEE REPORTS.**

19 (a) SUBSTANTIAL COMPLIANCE WITH VOTE ON RE-
20 PORTING.—Clause 2(l)(2)(B) of rule XI of the Rules of
21 the House of Representatives is amended by adding at the
22 end the following new sentence: “No point of order shall
23 lie against any committee report for failing to comply with
24 the preceding sentence if the report is in substantial com-
25 pliance with the requirements of that sentence.”.

1 (b) ELIMINATION OF INFLATIONARY IMPACT STATE-
 2 MENTS.—Clause 2(l) of rule XI of the Rules of the House
 3 of Representatives is amended by repealing subparagraph
 4 (4) and by redesignating subparagraphs (5) through (7)
 5 as subparagraphs (4) through (6), respectively.

6 (c) STATEMENT OF PERFORMANCE GOALS.—Clause
 7 2(l) of rule XI of the Rules of the House of Representa-
 8 tives is amended by adding at the end the following new
 9 subparagraph:

10 “(7) Each report of a committee on a bill or joint
 11 resolution of a public character reported by such commit-
 12 tee that authorizes or reauthorizes any program, project,
 13 or activity shall contain a statement of performance goals
 14 that define what it is intended to accomplish.”.

15 (d) JOINT REPORTS.—Clause 2 of rule XI of the
 16 Rules of the House of Representatives is amended by add-
 17 ing at the end the following new paragraph:

18 “(o) If two or more committees jointly study or inves-
 19 tigate any matter, such committees may file a joint report
 20 on that matter.”.

21 **SEC. 7. MAINTENANCE AND STRENGTHENING OF OPENING**
 22 **DAY REFORMS.**

23 (a) FURTHER LIMITATION ON THE NUMBER OF SUB-
 24 COMMITTEES THAT THE COMMITTEES ON GOVERNMENT
 25 REFORM AND OVERSIGHT AND ON TRANSPORTATION AND

1 INFRASTRUCTURE MAY HAVE.—Clause 6(d) of rule X of
2 the Rules of the House of Representatives is amended by
3 striking the first semicolon and all that follows and insert-
4 ing the following: “, and the Committee on Government
5 Reform and Oversight, which shall have no more than
6 six).”.

7 (b) FURTHER CONSOLIDATION OF STAFF BUDGET
8 AND BIENNIAL FUNDING PROCESS.—Clause 5(a) of rule
9 XI of the Rules of the House of Representatives is amend-
10 ed by striking “(except the Committee on Appropria-
11 tions)”.

12 (c) SENSE OF THE HOUSE ON ENFORCEMENT OF
13 SUBCOMMITTEE ASSIGNMENT LIMITS.—It is the sense of
14 the House of Representatives that the respective party
15 caucus and conference should enforcement the subcommit-
16 tee assignments limits set forth in clause 6(b)(2)(A) of
17 rule X of the Rules of the House of Representatives.

18 (d) REPEAL OF LIMITATION ON COMMITTEES SIT-
19 TING DURING THE FIVE-MINUTE RULE.—Clause 2(i) of
20 rule XI of the Rules of the House of Representatives is
21 amended by striking subparagraph (1) and by striking
22 “(2)”.

1 **SEC. 8. STRENGTHENING OF ETHICS PROCESS.**

2 (a) AMENDMENT.—Clause 4(e) of rule X of the Rules
3 of the House of Representatives is amended by adding at
4 the end the following new subparagraph:

5 “(3)(A) If a complaint is filed with the Committee
6 on Standards of Official Conduct against a Member, offi-
7 cer, or employee of the House, the committee shall deter-
8 mine if it is properly filed and, if so, whether a preliminary
9 investigation is warranted. No preliminary investigation
10 shall occur unless approved by the affirmative vote of a
11 majority of the members of the committee. Whenever the
12 committee approves a preliminary investigation, the re-
13 spective party conference or caucus shall each hold a ran-
14 dom drawing from the names of its members (excluding
15 members of the Committee on Standards of Official Con-
16 duct and any Member deemed by the conference or caucus
17 to be exempt) and select 3 members to serve on an inves-
18 tigative panel respecting that complaint. If a member of
19 a party conference or caucus has served on the Committee
20 on Standards of Official Conduct or an investigative panel,
21 the name of that member shall not be included in a draw-
22 ing until all other members of that conference or caucus
23 have served.

24 “(B) The Committee on Standards of Official Con-
25 duct shall adopt rules providing—

1 “(i) adequate staff and funding for each inves-
2 tigative panel;

3 “(ii) a fixed date for the filing by each panel of
4 a final report to the committee and, if requested by
5 that panel, a vote by the committee to extend the
6 date for filing its final report;

7 “(iii) that if an investigative panel has been
8 formed to consider a complaint against a Member,
9 officer, or employee of the House and a subsequent
10 complaint is filed with the committee before the
11 panel files its final report with the committee, then
12 the committee shall, by majority vote, determine
13 whether to merge the new complaint with the pend-
14 ing complaint;

15 “(iv) that the proceedings of each investigative
16 panel be held in executive session and that no infor-
17 mation or testimony received shall be disclosed by
18 any panel member, staff member, or outside counsel
19 assisting that panel to any Member or other staff
20 member of the committee before the panel files its
21 final report with the committee;

22 “(v) that each investigative panel shall deter-
23 mine if any count in the complaint it has been
24 formed to consider has been proved; and if it deter-
25 mines, by majority vote, that any such count has

1 been proved it shall adopt a statement of alleged vio-
2 lation; and if it determines that no count in the com-
3 plaint has been proved it shall recommend dismissal
4 of the complaint;

5 “(vi) that, if the committee, by majority vote,
6 determines that the work of the investigative panel
7 has been compromised by outside influence, the full
8 committee may disband the investigative panel and
9 request that a new panel be appointed;

10 “(vii) that upon the completion of an investiga-
11 tion, an investigative panel shall report its findings
12 and recommendations to the committee;

13 “(viii) that the committee shall, by majority
14 vote, determine disposition of the investigative pan-
15 el’s recommendations; and

16 “(ix) that a statement of alleged violation and
17 any written response thereto shall be made public at
18 the first meeting or hearing on the matter which is
19 open to the public after the respondent has been
20 given full opportunity to respond to the statement in
21 accordance with committee rules, but, if no public
22 hearing or meeting is held on the matter, the state-
23 ment of alleged violation and any written response
24 thereto shall be included in the committee’s final re-

1 port to the House as required by subparagraph
2 (1)(B).

3 “(C)(i) The committee may, at any time, by a major-
4 ity vote, determine that a complaint is frivolous.

5 “(ii) The committee may make such a determination
6 if it deems that the complaint has no basis in fact, the
7 alleged violation is of such a minor and technical nature
8 that it does not reflect discredit upon the House or its
9 Members, the complaint was filed for purely partisan rea-
10 sons and not out of concern for maintaining the ethical
11 standards of the House, or the complaint is part of a pat-
12 tern of abuse and misuse of the committee.

13 “(iii) In the case of any complaint deemed frivolous,
14 the committee shall determine the costs of its inquiry and
15 report such costs to the Committee on House Oversight,
16 the Clerk of the House, and the public.

17 “(iv) The committee may, by majority vote, rec-
18 ommend to the House that any Member who has filed a
19 frivolous complaint—

20 “(I) repay the costs of the inquiry over a period
21 of greater than 1 year; or

22 “(II) be fined an appropriate amount.”.

23 (b) CONFORMING AMENDMENT.—Clause 4(e)(1)(B)
24 of rule X of the Rules of the House of Representatives

1 is amended by striking “subject to subparagraph (2)” and
2 inserting “subject to subparagraphs (2) and (3)”.

3 **SEC. 9. EFFECTIVE DATE.**

4 This Act and the amendments made by it shall take
5 effect immediately prior to noon January 3, 1997. After
6 that date, subsections (c), and (d) of section 803 of the
7 Ethics in Government Act of 1989 shall have no force or
8 effect in the House.

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